

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JASON FRETTI,

Petitioner,

v.

SUPERINTENDENT SOMMERS, *et al.*,

Respondents.

CIVIL ACTION
NO. 17-1649

ORDER

AND NOW, this 20th day of August, 2018, upon consideration of the Petition for a Writ of *Habeas Corpus* (ECF No. 1), Respondent's Response (ECF No. 13), Petitioner's Reply (ECF No. 17), and the Report and Recommendation of United States Magistrate Judge Henry S. Perkin (ECF No. 18), it is hereby **ORDERED** that:

1. Magistrate Judge Perkin's Report and Recommendation (ECF No. 18) is **APPROVED** and **ADOPTED**;¹
2. Fretti's Petition for a Writ of *Habeas Corpus* (ECF No. 1) is **DENIED** and **DISMISSED** with prejudice without an evidentiary hearing;
3. No certificate of appealability shall issue;² and
4. This case shall be **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

¹ When no objection is made to a report and recommendation, the Court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes; *see also Oldrati v. Apfel*, 33 F. Supp. 2d 397, 399 (E.D. Pa. 1998) ("In the absence of a timely objection, therefore, this Court will review [a] Magistrate Judge[s] . . . Report and Recommendation for 'clear error.'"). No clear error appears on the face of the record and the Court accordingly accepts Judge Perkin's recommendation.

² Reasonable jurists would not debate the Court's disposition of petitioner's claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).